

SEC. 2. Strike out of the sixth line of Section 290 as amended by Chapter 91 Laws of the Twenty-Second General Assembly, the words "on the first day of January 1888" and insert in lieu thereof, the words "on the first day of April 1890." Code Sec. 290 amended.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication, in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines Iowa. Publication.

Approved, April 5, 1890.

I hereby certify that the foregoing act was published in the Iowa State Register and Des Moines Leader April 8, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 27.

### COMPENSATION FOR USE OF PLACE FOR HOLDING ELECTION.

AN ACT To amend Section 391, Title 4, Chapter 9 of the code in relation to places of election and compensation for the use thereof. S. F. 195.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section 391, title 4, chapter 9 be and the same is hereby amended by inserting after the word "held" in the second line of said section the following: "And the board of supervisors shall allow a reasonable compensation for the use thereof". Compensation for use of election place.

Approved May 1st, 1890.

## CHAPTER 28.

### PUNISHMENT OF POOLS, TRUSTS, COMBINATIONS, ETC.

AN ACT for the punishment of Pools, Trusts, Combinations and Conspiracies, and as to evidence in such cases. H. F. 174.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. If any corporation organized under the laws of this or any other state or country, for transacting or conducting any kind of business in this state, or any partnership or Combination to fix price of merchandise.

- individual or other association of persons whosoever, shall create, enter into, or become a member of, or a party to, any trust, agreement, combination, confederation or understanding with any other corporation, partnership, individual, or any person or association of persons, to regulate or fix the price of any article of merchandise or commodity, or shall enter into, become a member of or party to any pool, agreement, contract, combination or confederation to fix or limit the amount or quantity of any article, commodity or merchandise to be manufactured, mined, produced or sold in this state, shall be deemed and adjudged guilty of a conspiracy to defraud, and be subject to indictment and punishment as provided in this act.
- Guilty of conspiracy. Punishment.**      **SEC. 2.** It shall not be lawful for any corporation to issue or to own trust certificates, or for any corporation, agent, officer or employes, or the directors or stockholders of any corporation, to enter into any combination, contract or agreement with any person or persons, corporation or corporations, or with any stockholder or director thereof, the purpose and effect of which combination, contract or agreement shall be to place the management or control of such combination or combinations, or the manufactured product thereof, in the hands of any trustee or trustees, with the intent to limit or fix the price or lessen the production and sale of any article of commerce, use or consumption, or to prevent, restrict or diminish the manufacture or output of any such article.
- Trust certificates forbidden.**      **SEC. 3.** If a corporation or a company, firm or association, shall be found guilty of a violation of this act, it shall be punished by a fine of not less than one per cent of the capital stock of such corporation or amount invested in such company, firm or association, and not to exceed twenty per cent of such capital stock or amount invested. Any president, manager, director or other officer or agent or receiver of any corporation, company, firm or association, or any member of any company, firm or association, or any individual, found guilty of a violation of the first section of this act, shall be punished by a fine of not less than five hundred dollars, nor to exceed five thousand dollars, and in addition thereto may be imprisoned in the county jail not to exceed one year.
- Trustees in certain cases forbidden.**      **SEC. 4.** Any contract or agreement in violation of any provisions of the preceding sections of this act shall be absolutely void.
- Punishment for violation 1 per cent of capital.**      **SEC. 5.** Any purchaser of any article or commodity from any individual, company or corporation transacting business contrary to any provisions of the preceding sections of this act shall not be liable for the price or payment of such article or commodity, and may plead this act as a defense to any suit for such price or payment.
- Punishment for violation by officers of company.**
- Contracts void.**
- Purchaser not liable for price of articles purchased from combine.**

- SEC. 6. Any corporation created or organized by or under the law of this state which shall violate any provision of the preceding sections of this act shall thereby forfeit its corporate right and franchises, and its corporate existence shall thereupon cease and determine as provided in this section and it shall be the duty of the secretary of state, after the passage of this act, to address to the president, secretary or treasurer of each incorporated company doing business in this state, a letter of inquiry as to whether the said corporation has merged all or any part of its business or interest in or with any trust, combination or association of persons or stockholders as named in the preceding provisions of this act, and to require an answer, under oath, of the president, secretary, treasurer or any director of said company; a form of affidavit prescribed by the secretary of state shall be enclosed in said letters of inquiry, and on refusal to make oath in answer to said inquiry, the secretary of state shall immediately cause a certified statement of the facts to be filed in the office of the Attorney General, of the state who shall proceed, or direct such proceedings by any county attorney in the state, to commence an action in the District Court of any County in the State of competent jurisdiction, when said proceedings are instituted they shall be conducted as ordinary law actions triable by Court or Jury on the final decision of the same—should the defendant be found guilty of a violation of any of the provisions of this act, said Court shall render a judgment and order a revocation of the charter of said company as a penalty for the violation, or violation for which the said company shall be found guilty, and the Secretary of State shall make publication of such revocation in four newspapers in general circulation in the four largest cities of the State.
- SEC. 7. It shall be the duty of the Secretary of State upon satisfactory evidence (evidence) that any company or association of persons duly incorporated and operating under the laws of this State have entered into any trust, combination or association as provided in the preceding provisions of this act, to give notice to such corporation that unless they withdraw from and sever all business connection with said trust, combination or association, their charter will be revoked at the expiration of thirty days from date of such notice.
- SEC. 8. It shall be the duty of the prosecuting attorneys in their respective jurisdictions, and the attorney general, to enforce the foregoing provisions of this act, and any prosecuting attorney, or the attorney general, securing a conviction under the provisions of this act, shall be entitled, in addition to such fee or salary as by law he is allowed for such prosecution, to one-fifth of the fine recovered. When the attorney general and prosecuting attorney act in conjunction in the prosecution of any case, under the provisions of this act, they
- Corporate right forfeited by violation of act.
- Letters of inquiry from Sec'y State.
- Answer required under oath.
- Statement filed with Att'y General.
- Charter revoked if found guilty.
- Revocation published.
- Notice to members of combinations to withdraw.
- Prosecuting Attorney and Attorney General to enforce this law.
- One-fifth of fine recovered.

One-fourth of shall be entitled to one-fourth of the fine recovered which they shall divide equally between them, where there is no agreement to the contrary, and it shall be the duty of the

Duty of Grand Jury.

Repealing clause.

Publication.

grand jury to inquire into and ascertain if there exists any pools, trusts, combinations within their respective counties.

SEC. 9. Chapter 84, Acts of the 22d General Assembly and all acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

SEC. 10. Whereas, great injustice is being done to the people of this state by the formation of trusts and trust companies, therefore an emergency exists, and this Act shall take effect and be in force from and after its passage and publication, as required by law, in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa

Approved May 6, 1890.

I hereby certify that the foregoing Act was published in the Iowa State Register and Des Moines Leader, May 14, 1890.

FRANK D. JACKSON, *Secretary of State.*

## CHAPTER 29.

### WEATHER AND CROP SERVICE.

H. F. 166. AN ACT To repeal Chapter 45 of the laws of the Seventeenth General Assembly and to enact a substitute therefor, to establish a Weather and Crop Service and for the collection and dissemination of Crop Statistics and meteorological data.

*Be it enacted by the General Assembly of the State of Iowa:*

Chap. 45 Acts 17 G. A. repealed.

SECTION 1. That chapter 45 of the laws of the Seventeenth General Assembly be and the same hereby is repealed, and the following enacted in lieu thereof.

Weather and crop service under direction of Ag'l Society.

SEC. 2. That there be and hereby is established in the State of Iowa, under the supervision of the Board of Directors of the State Agricultural Society, a weather and crop service, cooperating with the Signal Service of United States, for the purpose of collecting crop statistics and meteorological data, and more widely disseminating the weather forecasts and storm and frost warnings, for the benefit of producers and shippers of perishable products, and to promote a general knowledge of meteorological science and the climatology of the State.

Objects.

Location of central station.

SEC. 3. That the central station of said weather and crop service shall be in the city of Des Moines under the charge of